

House  
REPUBLICAN  
Conference

# FloorPrep

Legislative Digest

Tuesday, March 23, 1999

J.C. Watts, Jr.  
Chairman  
4th District, Oklahoma

*House Meets at 9:30 a.m. for Morning Hour and  
11:00 a.m. for Legislative Business  
(No Votes Before Noon)*

*Anticipated Floor Action:*

- H.R. 70—Arlington National Cemetery Burial Eligibility Act**  
**S. 314—Small Business Y2K Readiness Act**  
**H.R. 68—Small Business Investment Company Technical Corrections Act**  
**H.Res. 121—Affirming Congress' Opposition to all Forms of Racism and  
Bigotry**  
**H.R. 751—Designating the Edward N. Cahn Federal Building U.S.  
Courthouse**  
**H.R. 130—Designating the Thurgood Marshall U.S. Courthouse**  
**H.Con.Res. 52—Authorizing the Use of the Capitol Grounds for the  
Millenium Stage**  
**H.Con.Res. 50—Authorizing the Use of the Capitol Grounds for the D.C.  
Special Olympics Law Enforcement Torch Run**  
**H.Con.Res. 44—Authorizing the Use of the Capitol Grounds for the Peace  
Officers Memorial**  
**H.Con.Res. 47—Authorizing the Use of the Capitol Grounds for the Greater  
Washington Soap Box Derby**  
**H.R. 416—Federal Retirement Coverage Corrections Act**  
**H.Res. 118—Sense of Congress Regarding Family Planning Programs**  
**H.Res. 99—Sense of Congress on Human Rights in Cuba**  
**H.Con.Res. 56—Commemorating the 20th Anniversary of the Taiwan  
Relations Act**  
**H.Con.Res. 37—Sense of Congress Concerning Anti-Semitic Statements Made  
by Members of the Russian Duma**  
**H.Res. 101—Committee Funding Resolution for the 106th Congress**



## Bills Considered Under Suspension of the Rules

**Floor Situation:** The House will consider the following 16 bills under suspension of the rules as its first order of business today. Each is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

**H.R. 70—Arlington National Cemetery Burial Eligibility Act** strengthens existing burial eligibility requirements and codifies much of the existing Army burial regulations at Arlington National Cemetery. The bill eliminates automatic eligibility for members of Congress, cabinet officers, and ambassadors who do not otherwise meet eligibility requirements. Current regulations allow automatic burial for these senior government officials who have only a few years of military experience, a distinct advantage over all other veterans. The House passed similar legislation (H.R. 3211; *H.Rept. 105-458*) by a vote of 412-0 last year. However, the Senate did not act on the measure before adjournment. CBO estimates that enactment will have no significant impact on the federal budget. The bill was introduced by Mr. Stump *et al.* and was reported by the Veterans' Affairs Committee (*H.Rept. 106-70*) by voice vote on March 18, 1999.

**S. 314—Small Business Y2K Readiness Act** amends the Small Business Act to authorize the Small Business Administration (SBA) to establish a limited-term loan program for small businesses to correct Y2K computer problems. The loans will be provided by more than 6,000 private financial institutions and guaranteed by the SBA. A small business may use the loans to (1) correct its own Y2K problems (e.g., purchase or repair software and hardware or hire a consultant), and (2) recover from economic injuries resulting from its own Y2K computer problems or those of another entity.

The bill allows the SBA to guarantee loans of up to \$1 million under the Y2K program; current law does not allow the SBA to guarantee loans of more than \$750,000. (This is a limited exception to current law that does not apply to other SBA loan programs.) In addition, the measure allows borrowers that have outstanding SBA loans to participate in the Y2K program, even if the new loan will exceed the SBA's guarantee limit.

The measure requires the SBA to establish guidelines for the Y2K loan program no later than 30 days after enactment. The guidelines must permit lenders to process Y2K loans according to the requirements of any existing SBA loan programs in which they are participating, as well as provide maximum flexibility when structuring loans in order to enhance the borrowers' ability to repay the debt. Because the precise costs of making Y2K corrections are largely unknown, the bill requires the SBA to structure the loans in a manner that gives small businesses access to loans that meet their current and projected cash flows.

CBO estimates that enactment will result in additional discretionary outlays of \$20 million over FYs 2000-2001; however, the actual cost to the government may be substantially higher or lower depending on the severity of economic injury associated with Y2K computer problems. The bill was introduced by Senator Bond and passed the Senate by a vote of 99-0 on March 2, 1999. The bill was not considered by a House committee.

**H.R. 68—Small Business Investment Company Technical Corrections Act** makes a number of technical corrections to the 1958 Small Business Investment Act to improve the flexibility of the

Small Business Investment Company (SBIC) program and improve small business access to this program. Specifically, the bill:

- \* excludes contingent obligations (e.g., warrants, options) from the calculation of interest for SBIC financing in order to reduce confusion and uncertainty or the loss of financing opportunities for small businesses;
- \* eliminates a provision in current law that reserves funds for smaller SBICs (companies with less than \$20 million in private capital) until the last quarter of the fiscal year, in order to allow the Small Business Administration (SBA) to allocate available funding to SBICs more evenly over the course of a year;
- \* modifies the current income test to expand the eligibility of small businesses for SBIC financing;
- \* provides the SBA with greater flexibility when issuing trust certificates to finance the SBIC program's investments in small businesses; and
- \* increases the authorization levels for the participating securities segment of the SBIC program, from \$800 million to \$1 billion in FY 1999 and from \$900 million to \$1.2 billion in FY 2000. These increases are necessary to meet the rising demand for this section of the SBIC program.

Last year, the House passed similar legislation (H.R. 3412; *H.Rept. 105-450*) by a vote of 407-0; however, the bill was not enacted into law before the conclusion of the 105th Congress. The House passed H.R. 68 under suspension of the rules by a vote of 402-2 on February 2, 1999. Yesterday, the Senate passed the bill by unanimous consent after making minor modifications.

**H.Res. 121—Affirming Congress' Opposition to All Forms of Racism and Bigotry** (1) insists that no individual's rights are negotiable or open to compromise; (2) reaffirms the determination of all House members to oppose any individuals or organizations that seek to divide Americans on the grounds of race, religion, or ethnic origin; (3) denounces all those who practice or promote racism, anti-Semitism, ethnic prejudice, or religious intolerance; and (4) calls upon all Americans of goodwill to reject the forces of hatred and bigotry wherever and in whatever form they may be found. The resolution was introduced by Mr. Watts and was not considered by a House committee.

**H.R. 751** designates the Federal Building and United States Courthouse located at 504 West Hamilton Street in Allentown, Pennsylvania, as the "Edward N. Cahn Federal Building and United States Courthouse." Judge Cahn was a federal district judge for Pennsylvania's Eastern District Federal Court. He served the people of Allentown for 23 years until his promotion to the court's chief judge position in 1993. Cahn served as chief judge for the last five years of his tenure before retiring in 1998. Mr. Cahn served his community with distinction and instilled the idea of fairness and equality as a dedicated jurist and public servant. The bill was introduced by Mr. Toomey and was reported by the Transportation Committee by voice vote on March 11, 1999.

**H.R. 130** designates the United States Courthouse located at 40 Centre Street in New York, New York, as the "Thurgood Marshall United States Courthouse." Mr. Marshall was a distinguished jurist, appointed to the Second Circuit Court of Appeals in 1961 by President John F. Kennedy. He

was later named the nation's first black solicitor general, where he served for two years until 1967. On June 13, 1967, President Johnson nominated Marshall to become the first black justice of the Supreme Court, where he served as an associate justice until 1991. Thurgood Marshall is most noted for his tremendous work as an advocate in the *Brown v. Board of Education* case in 1954, which overturned the reigning "separate but equal" doctrine of segregation in the South and began the integration of state educational facilities. Justice Marshall passed away in 1993, leaving behind a legacy of fighting for civil rights and equal justice for all Americans. The bill was introduced by Mr. Engel and was reported by the Transportation Committee by voice vote on March 11, 1999.

**H.Con.Res. 52** authorizes the use of the Capitol Grounds for the John F. Kennedy Center for the Performing Arts Millennium Stage in conjunction with the National Park Service. Concerts on the Capitol Grounds are scheduled for Tuesdays and Thursdays from 12:00 to 1:00 p.m. between Memorial Day and September 30, 1999. The concerts will be held on the East Front Lawn of the Capitol and will be open to the public and free of charge. All arrangements must be negotiated between the Architect of the Capitol, the Capitol Police Board, and the sponsor. The Senate must approve the dates of the concerts. CBO estimates that enactment will have no significant impact on the federal budget. The resolution was introduced by Mr. Shuster and was reported by the Transportation Committee (*H.Rept. 106-63*) by voice vote on March 11, 1999.

**H.Con.Res. 50** authorizes the use of Capitol Grounds for the 1999 Special Olympics Torch Relay ceremonies on June 11, 1999. The ceremony will be part of the torch relay to the District of Columbia Special Olympics Summer Games being held at Gallaudet University. The activities will begin on Capitol Hill with opening ceremonies for the event, followed by over 2,000 Capitol Police law enforcement representatives carrying the torch to recognize the 2,500 Special Olympics' participants. The resolution authorizes the Architect of the Capitol and the Capitol Police Board to ensure that the event is carried out in compliance with the rules and regulations governing the use of the Capitol Grounds. The event will be open to the public and free of charge. CBO estimates that enactment will have no significant impact on the federal budget. H.Con.Res. 50 was introduced by Mr. Franks and was reported by the Transportation Committee (*H.Rept. 106-62*) by voice vote on March 11, 1999.

**H.Con.Res. 44** authorizes the use of the Capitol Grounds for the 18<sup>th</sup> annual National Peace Officers' Memorial Service on May 15, 1999. In 1963, President John F. Kennedy proclaimed May 15<sup>th</sup> as the National Peace Officers' Memorial Day. The resolution authorizes the Architect of the Capitol, the Capitol Police Board, and National Fraternal Order of Police to negotiate the event's arrangements in compliance with the regulations on using the Capitol Grounds. The memorial service honors more than 160 men and women who lost their lives while in the line of duty last year. The service will be held publicly on the West Front of the Capitol and is free of charge. The sponsor assumes complete responsibility for all expenses and liabilities associated with the event. CBO estimates the enactment to have no significant impact on the federal budget. H.Con.Res. 44 was introduced by Mr. Traficant and was reported by the Transportation Committee (*H.Rept. 106-58*) by voice vote on March 11, 1999.

**H.Con.Res. 47** authorizes the use of the Capitol Grounds on July 10, 1999 for the 58<sup>th</sup> annual Greater Washington Soap-Box Derby; the eighth year this event has been held at the U.S. Capitol. The resolution also authorizes the Capitol Police Board, the Architect of the Capitol, and the Greater Washington Soap-Box Derby Association to negotiate the details in compliance with regulations of

governing the use of the Capitol Grounds. The event will be free of charge and open to the public. The association will be held fully responsible for the expenses and liabilities pertaining to this event. CBO estimates the enactment will have no significant impact on the federal budget. H.Con.Res. 47 was introduced by Mr. Hoyer *et al.* and was reported by the Transportation Committee (*H.Rept. 106-59*) by voice vote on March 11, 1999.

**H.R. 416—Federal Retirement Coverage Corrections Act** rectifies retirement coverage errors affecting federal employees that occurred on or after January 1, 1984. Specifically, the bill permits federal employees who were mistakenly covered by either the Civil Service Retirement System (CSRS), CSRS-Offset, the Federal Employees' Retirement System (FERS), or Social Security-Only to switch to his or her proper retirement coverage—from CSRS to FERS, for example. The bill also allows federal employees mistakenly covered by either the FERS or the CSRS to retain the same coverage if they wish. This option extends to former federal employees, annuitants, and survivors, as well as employees of the foreign service and intelligence agencies. However, federal employees covered under the Social Security-Only option may not remain in CSRS, CSRS-Offset, or FERS.

In addition, H.R. 416 (1) requires the agencies responsible for the coverage errors to bear the cost of making up lost earnings on employees' Thrift Savings Plan (TSP) accounts; (2) stipulates that agencies involved must make all necessary payments from appropriated funds; and (3) amends the Social Security Act to allow CSRS-eligible employees to receive Social Security benefits. To prevent employees from possibly incurring a greater tax burden, the measure stipulates that funds transferred from changes in retirement coverage may not be included as gross income under the 1986 Internal Revenue Code.

A nearly identical bill (H.R. 3249) passed last year by voice vote on July 20, 1998. CBO estimates that enactment of H.R. 416 will result in discretionary outlays of \$346 million over five years, assuming appropriation of the authorized amounts. However, CBO also estimates that enactment will result in net savings of \$113 million from mandatory spending. H.R. 416 was introduced by Mr. Scarborough and was reported by the Government Reform Committee by voice vote on February 3, 1999.

**H.Res. 118—Sense of Congress Regarding Family Planning Programs** expresses the sense of Congress that family planning programs should be completely voluntary, avoid numerical targets, provide recipients with complete information on methods (including telling recipients whether the methods are experimental), and respect individual values and beliefs as well as national laws and development priorities.

The resolution is an affirmation of the principles of the International Conference on Population and Development's Programme of Action, which will be reviewed by the United Nations General Assembly from June-July 1999. The Programme of Action states that family planning programs must be completely voluntary and free of all forms of coercion and bribery. Stories have surfaced recently from countries such as Peru regarding the forced sterilization of women. The sterilizations are perpetrated by family planning programs that are partly funded through U.S. foreign aid. The resolution is similar to a provision adopted in the FY 1999 Omnibus Appropriations Act (*P.L. 105-277*) that defined the meaning of "voluntary" in the context of family planning programs. The resolution was introduced by Mr. Tiahrt and was not considered by a House committee.

**H.Res. 99—Sense of Congress Regarding Human Rights in Cuba** condemns in the strongest possible terms the repressive crackdown by the government of Cuba against the country's internal opposition and independent press and expresses its profound admiration and firm solidarity with the internal opposition and independent press of Cuba. It demands that the government of Cuba release all political prisoners, legalize all political parties, labor unions, and the press, and schedule free and fair elections.

The resolution also (1) urges the administration at the 55<sup>th</sup> Session of the United Nations Human Rights Commission in Geneva, Switzerland, to take all steps necessary to secure international support for, and passage of, a resolution to condemn the Cuban government for its gross abuses of the rights of the Cuban people and for continued violations of all international human rights standards and legal principles, and calls for the reinstatement of the United Nations Special Rapporteur for Human Rights in Cuba; (2) declares that the acts of the Castro regime, including its widespread and systematic violation of human rights, violate the charter of the United Nations and the Universal Declaration of Human Rights; (3) urges the president to nominate a special envoy to advocate, internationally, for the establishment of the rule of law for the Cuban people; (4) urges the president to actively seek support from individual nations, as well as the United Nations, the Organization of American States, the European Union, and all other international organizations to call for the establishment of the rule of law for the Cuban people; and (5) declares that the rule of law for the Cuban people should guarantee each and every fundamental and inalienable right. The bill was introduced by Ms. Ros-Lehtinen *et al.* and was not considered by a House committee.

**H.Con.Res. 56—Commemorating the 20<sup>th</sup> Anniversary of the Taiwan Relations Act** expresses the sense of Congress that the United States should reaffirm its commitment to the Taiwan Relations Act and its specific guarantees to provide legitimate defense articles to Taiwan for the country's self-defense. It expresses grave concern over China's military modernization and weapons procurement program, especially its ballistic missile capability and deployment that seem particularly directed toward threatening Taiwan.

The resolution states that the president should (1) direct all appropriate officials to raise these grave concerns about new Chinese military threats to Taiwan with officials from China; (2) seek from leaders of China a public renunciation of any use of force, or threat to use force, against Taiwan; (3) provide a report to Congress annually on the military balance on both sides of the Taiwan Strait, including the impact of procurement and modernization programs; (4) inform the appropriate committees of Congress when officials from Taiwan seek to purchase defense articles for self-defense and (5) encourage further dialogue between democratic Taiwan and Communist China. It states that the U.S. government should encourage a regional high-level dialogue on the best means to ensure stability, peace, and freedom of the seas in East Asia.

Finally, the resolution declares that it should be U.S. policy to publicly support Taiwan's admission to the World Trade Organization as soon as possible on its own merits and encourage others to adopt similar policies. This bill was introduced by Mr. Gilman *et al.* and was not considered by a House committee.

**H.Con.Res. 37—Sense of Congress Concerning Anti-Semitic Statements Made by Members of the Russian Duma** condemns anti-Semitic statements made by members of the Duma of the Russian Federation and commends actions taken by members of the Russian Duma to condemn such statements. It commends President Boris Yeltsin and other members of the Russian government

for condemning such statements and reiterates Congress' firm belief that peace and justice cannot be achieved as long as governments and legislatures promote policies based upon anti-Semitism, racism, and xenophobia. This bill was introduced by Mr. Smith (NJ) *et al.* and was not considered by a House committee.

**H.R. 1212—Crop Revenue Coverage PLUS (CRCPLUS) Act** extends the sales closing date for crop insurance for 14 days after enactment, but not beyond April 12, 1999, to allow farmers faced with a reduction or loss of crop insurance to buy or transfer insurance. These farmers may buy equivalent or lesser coverage for crops covered under CRCPLUS—a federally-approved supplemental crop insurance program—and may transfer insurance on other commodities held with the insurer who offered CRCPLUS.

Many farmers currently face a precarious position because they purchased supplemental crop revenue insurance from a particular insurance company for cotton, corn, wheat, soybeans, and rice. However, for financial reasons, the insurer ultimately decided to reduce or, in some instances, rescind coverage under the private supplemental policy. Because the last day to buy crop insurance for spring-planted crops has passed, many farmers are finding themselves left with three unacceptable choices: (1) retain a crop insurance policy that may no longer be economical to their operations; (2) accept catastrophic crop insurance that provides very low coverage; or (3) settle for no crop insurance at all. CBO estimates that enactment will have no significant impact on the federal budget. The bill was introduced by Mr. Combest *et al.* and was not considered by any committee.

**Additional Information:** See *Legislative Digest*, Vol. XXVIII, #8, March 19, 1999.



## **H.Res. 101—Committee Funding for the 106<sup>th</sup> Congress**

**Floor Situation:** The House will consider H.Res. 101 after it completes consideration of the scheduled suspensions. The resolution is privileged; it is debatable for one hour, equally divided between the chairman and ranking minority member of the House Administration Committee, and may not be amended. House rules allow one motion to recommit, with or without instructions.

**Summary:** H.Res. 101 establishes budget levels for 19 House committees (the Appropriations Committee is not funded through this measure). Specifically, the measure authorizes a total of \$180.4 million over two years for committee operations for the 106<sup>th</sup> Congress, a \$5.3 million, three percent increase over the committee funding level for the 105<sup>th</sup> Congress and a \$40 million decrease from the committee funding level for the 103<sup>rd</sup> Congress. Additionally, the resolution authorizes a \$3 million reserve fund for unanticipated committee expenses. The \$5.3 million increase includes \$2.4 million for the Census Subcommittee. The resolution was introduced by Mr. Boehner and was reported by the House Administration Committee by voice vote.

**Additional Information:** See *Legislative Digest*, Vol. XXVIII, #8, March 19, 1999.

